REMARKS

Applicants have amended claims 1 to 8 to more clearly point out their invention. These amendments are not the addition of new matter nor do they raise new issues. Accordingly, Applicants respectfully ask that the Examiner enter the amendments.

Applicants note with appreciation the telephone interview courteously extended by the Examiner on December 19, 2005. During that interview, the amendments to the claims were discussed.

Applicants respectfully submit that they have agreed to all of the proposed amendments suggested by the Examiner for removing the rejections under 35 U.S.C. §112. More specifically, please consider the following remarks.

Applicants respectfully traverse the rejection of claims 1 – 8 are rejected under 35 U.S.C. 112, first paragraph.

The Examiner states that the expression "systematically bioavailable kainate receptor agonist" is new matter. Applicants have deleted the expression.

Accordingly, Applicants respectfully ask that the Examiner withdraw this rejection under 35 U.S.C. §112 first paragraph.

Applicants respectfully traverse the rejection of claims 1 – 4, 7 and 8 under 35 U.S.C. §112, first paragraph, because the specification does not reasonably provide enablement for a method of treating a rat during the second postnatal

week with any doses of any kainate receptor agonist, wherein the rodent exhibits seizure-like symptoms upon exposure to mild of moderate stressor that would not normally elicit a seizure.

Applicants have amended claim 1 to recite a method comprising injecting said rat intraperitoneally or subcutaneously during the second postnatal week with repeated subconvulsive doses of domoic acid, kainic acid, said doses being a minimum of about 5 µg/kg for domoic acid, and a minimum of about 25 µg/kg for kainic acid and pharmaceutically acceptable salts thereof.

Claims 2 to 8 also have been amended to be consistent with amended claim 1. Applicants have agreed to limit the claims to intraperitoneal and subcutaneous administration. Amendments along these lines are incorporated into the amended claims. Regarding the scope of the claimed dosage ranges, the Examiner has favourably reconsidered the claimed dosage ranges spanning 5 – 50 µg/kg for domoic acid and 25 – 100 µg/kg for kainic acid, for both male and female rats. The Examiner also has agreed to the term "subconvulsive" as an upper drug dosage limit in claim 1 for both kainic acid and domoic acid. Applicants have amended claim 1 to specify a 5 µg/kg minimum dose for domoic acid and a 25 µg/kg minimum dose for kainic acid. The upper dosages of 50 µg/kg for domoic acid and 100 µg/kg for kainic acid are recited in the amended dependent claims.

Applicants respectfully submit that the amendments to the claims obviate these objections under 35 U.S.C. §112.

The Examiner argues that these are relative terms and the use of these words depend upon the application used by the artisan.

Applicants respectfully submit that their specification clearly define these terms especially in view of the above remarks and amendments to the claims.

Accordingly, Applicants respectfully ask that the Examiner withdraw the rejection under 35 U.S.C. §112, second paragraph.

Applicants also respectfully traverse the rejection of claim 1 U.S.C. §112, second paragraph.

Applicants have amended claim 1 to correct the spelling of "doses".

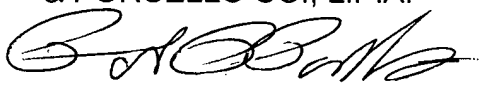
Accordingly, Applicants respectfully ask that the Examiner withdraw this rejection under 35 U.S.C. §112, second paragraph.

Applicants respectfully submit that these amendments, together with the above comments, address the objections raised by the Examiner. The objections particularly relate to the mode of administration, the scope of the claimed kainate receptor agonists, and the scope of the claimed dosage ranges. The claims, as amended according to the Examiner's suggestions, remove these objections.

Therefore, Applicants respectfully submit that claims 1 – 8, as amended, are in condition for allowance and respectfully ask that the Examiner pass the claims to issue.

Respectfully submitted,

EMCH, SCHAFFER, SCHAUB
& PORCELLO CO., L.P.A.



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